Report on a Case by the Board of Ethical Review

Case No. 64-1

Subject: Registration Seal-Use in Advertisement
Canon 19-Canons of Ethics; Rule 59-Rules of Professional Conduct

Facts:
A manufacturing company inserted a full-page advertisement in several magazines which regularly circulate to professional engineers. The equipment advertised was of a type which might normally be specified or ordered by professional engineers for their clients or employers. At the top of the advertisement appeared a modified replica of a state engineering registration seal, but without identification as to an individual or state. The text of the advertisement made no direct reference to the registration seal. Question: Is it ethical to use an engineering registration seal in this manner?

References:
Canons of Ethics-Canon 19- "The engineer will endeavor to protect the engineering profession collectively and individually from misrepresentation and misunderstanding."

Rules of Professional Conduct Rule 59-"He will not use his professional affiliations to secure the confidence of other engineers in commercial enterprise and will avoid any act tending to promote his own interest at the expense of the dignity and standing of the profession."

Discussion:
The ostensible purpose of depicting a modified replica of an engineering registration seal in the advertisement is to imply that the equipment being offered for sale was designed, tested and its performance certified by registered engineers and meets the requirements of high engineering standards. The seal, as shown, was not that of any particular individual or state and the reader of the advertisement may be misled, or at least confused. Assuming that the equipment was, in fact, designed, tested and its performance certified by registered engineers, although not explicitly so stated in the text of the advertisement, we think the method employed to indicate these facts was improper. It would be permissible for the company to make a definite statement of fact in the advertisement that the equipment was designed, tested, and its performance certified by registered engineers, and to give their names and registration identification. We do not pass at this time on the propriety of showing the actual seal or seals of the registered engineers who may have designed the equipment.

As we have often noted, the Canons and Rules apply to individual engineers and not to companies, per se, but if there were engineers holding responsible positions in the company who could have influenced the decision to depict the seal in the advertisement, we think they were derelict in their ethical duty in allowing its use in the manner stated. Canon 19 directs the engineer to protect the profession from

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misrepresentation and misunderstanding. Rule 59 prohibits any act to promote self-interest at the expense of the dignity and standing of the profession. Both of these principles are applicable to the engineers in the company who may have been a party to, or did not object to, the use of the seal in the advertisement.

Conclusion:
It is unethical to use an engineering registration seal in this manner in a commercial advertisement.

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